



King County Board of Ethics
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KING COUNTY BOARD OF ETHICS MEETING NOTICE

When: Monday, October 20, 2003, at 4:30 p.m.

Where: Bank of California Building
900 Fourth Avenue, 4th Avenue and Marion Street, Seattle
5th floor conference room, northwest corner of building

AGENDA

1. ***Approval of Agenda.***
2. ***Approval of Meeting Minutes of September 15, 2003.***
3. ***Acceptance of Gifts.*** Discussion. Guests Terry Thomas, Executive Director, Seattle Ethics and Elections Commission and Brian Malarky, Executive Director, Washington State Executive Ethics Board
4. ***Awareness Campaign.*** Report.
5. ***Proposed Amendment to the Ethics Code Related to Declarations and Oaths.***
Transmittal documents.
6. ***Staff Report***
 - Report on Strategic Advisory Council
 - Review of Possible Exemptions to the Filing Requirement for Statements of Financial and Other Interests - Status Report
 - Staff Informational Responses Summary
 - Miscellaneous Letters to the Board - separately attached
 - Office of Citizen Complaints Triannual Report - separately attached

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ALTERNATE FORMATS AVAILABLE



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Minutes of the October 20, 2003, Meeting of the King County Board of Ethics

The October 20, 2003, meeting of the King County Board of Ethics was called to order by Chair Price Spratlen at 4:30 p.m. Board members in attendance were:

Lois Price Spratlen, Ph.D., Chair
Mr. Roland H. Carlson
Margaret T. Gordon, Ph.D.

Rev. Paul F. Pruitt and Mr. Jerry Saltzman had excused absences.

Others in attendance:

Ms. Catherine A. Clemens, Administrator, King County Board of Ethics
Mr. Alan Abrams, Senior Deputy Prosecuting Attorney and Board Counsel
Mr. James J. Buck, Administrative Services Manager, Department of Executive Services
Mr. Terry Thomas, Executive Director, Seattle Ethics and Elections Commission
Mr. Brian Malarky, Executive Director, Washington State Executive Ethics Board

1. *Approval of Agenda.* Mr. Carlson moved and Dr. Gordon seconded that the board approve the proposed agenda. The board unanimously adopted the motion.

Chair Price Spratlen asked for introductions from those present.

2. *Approval of Meeting Minutes of September 15, 2003.* Dr. Gordon moved and Mr. Carlson seconded that the board approve the September 15, 2003, meeting minutes. The board unanimously adopted the motion and the minutes were approved.

Mr. Abrams arrived at 4:33 p.m. and Mr. Buck arrived at 4:35 p.m.

3. *Acceptance of Gifts.* Ms. Clemens acknowledged guests Thomas and Malarky and briefed the board. She stated that recent events related to acceptance of gifts by city elected officials had prompted the Board of Ethics to ask that the matter be placed on the agenda for discussion. She drew the members' attention to materials provided to facilitate the discussion. Materials included a comparison matrix of city, state and county gift laws; a selected list of county advisory opinions issued by the ethics board on receipt of gifts; and the state's guide to gift laws.

Mr. Thomas outlined city gift laws, explaining that decisions on possible violations are made based on appearance factors and intent of both the recipient and giver. Exceptions include gifts of under \$25 that are shared with other employees. However, he expressed unease with creating exceptions since departure from the law opens it to interpretation and selective enforcement. He discussed the recent issues involving council members, sanctions applied by the SEEC, news coverage and affect on the city's reputation. Mr. Malarky stated that Washington State gift laws are essentially based on an appearance standard that sets a higher standard for employees with management, contract, and decision-making responsibilities. He noted the state law is comprehensive, but because of this fact is not user-friendly. Information about the law is contained in regular employee newsletters and

on-going, voluntary training sessions. Mr. Carlson stated that the RCW provided the law and the WAC provided the rules that employees could understand. Dr. Gordon stated that it would be a good idea to have consistent gift laws for all three jurisdictions. Mr. Abrams commented on the applicability and ability to enforce in various jurisdictions throughout the state. Dr. Price Spratlen said that she would like to see a summit of the three ethics agencies and this issue would be a good one to address together. Dr. Gordon noted that a single standard would carry weight with office holders. Mr. Malarky and Mr. Thomas both agreed a single standard could be affective and agreed to entertain the concept after conferring with their respective boards. Chair Price Spratlen thanked Mr. Malarky and Mr. Thomas and promised to work toward a collaborative effort in the coming year.

Mr. Malarky and Mr. Thomas left the meeting at 4:21 p.m.

4. *Awareness Campaign.* Ms. Clemens briefed the board stating that she had reviewed the awareness campaign plan with DES leadership and the executive's communications director. Both groups approved the general plan. Ms. Clemens outlined the campaign's goals, mechanisms, and timetable as follows:

Goals: to raise awareness among county employees of the ethics code, the Board of Ethics and the ethics office, and the resources they provide. Mechanisms: 1) Inexpensive awareness vehicles 1 -2 times per year (i.e. laminated ethics office rolodex card distributed in employee pay envelopes; bookmark; poster); 2) Interactive ethics game on ethics web site: one ethics 'brain teaser' posed to all county employees 1 x month using county-wide messaging resources; link back to ethics web site for instructive answers; will increase awareness of web site; 3) Consistent graphics look: redesign existing and new ethics publications; new publication to include ethics brochure to board and commission members; 4) Periodic messaging to county employees: using county-wide communication vehicles, provide employees with important and timely ethics issues affecting them; 5) Redesign of ethics web site: make site easier to use and bring it into compliance with new county-wide template. Timing: January 2004: 1) first awareness vehicle distributed; 2) first 'brain teaser'; 3) publications redesigned and printed for distribution; and 4) web site redesigned; February 2004: 1) second 'brain teaser'; March 2004: 1) third 'brain teaser', etc.; 2) board and commission brochure distributed.

The board reviewed the redesign of ethics publications and generally approved. Members and staff discussed wording on the materials and agreed to offer comments over the following week with suggestions for change. They agreed to arrive at a final decision by October 28, 2003, so that the printing may go forward.

5. *Proposed Amendment to the Ethics Code Related to Declaration and Oaths.* Ms. Clemens reviewed the transmittal documents sent to Mr. Paul Tanaka, CAO, DES, on October 14, 2003. The matter is now with Mr. Buck; he informed the board that the documents will be transmitted to the executive and then to the county council. The council will probably address the matter after the first of next year. Ms. Clemens acknowledged the excellent work on the proposed amendment provided by Mr. Abrams, Mr. Pat Sainsbury, Fraud Division, Prosecuting Attorney's Office, and Mr. Bruce Ritzen, Code Reviser, Clerk of the Council. Chair Price Spratlen expressed the board's appreciation for this work. Dr. Gordon moved that the board accept the transmittal package as written; Mr. Carlson seconded the motion and the motion was unanimously approved.

6. *Staff Report. Report on Strategic Advisory Council.* The board requested a review of the Strategic Advisory Council. Ms. Clemens provided the descriptive enabling legislation under K.C.C. 2.16.07582; she also provided the membership roster indicating that seven out of 15 members had not yet filed statements of financial and other interests. In fact, executive staff had not required members to file since inception in 2001 because they were unaware of the requirement. Ms. Clemens has been working with council and executive staff to make them aware of this requirement under the ethics code. Chair Price Spratlen asked that the matter be placed on the agenda of the upcoming meeting with the executive. Review of Possible

Exemptions to the Filing Requirement for Statements of Financial and Other Interests - Status Report. The administrator stated this information will be provided during the November meeting. Staff Informational Response Summary. Ms. Clemens reported that she wrote three staff informational responses to county agencies and employees upon request between September 18 and October 8, 2003. Ethics-related topics included: use of email by the executive for solicitation; use of county funds for board retreats; and secondary employment for employees with the county. Complete text is forwarded to board members via email at time of response. Miscellaneous Letters. Letters directed to the Board of Ethics but required no action. Office of Citizen Complaints Triannual Report. The ombudsman was unable to attend the board meeting, but will be available in January when the next report will be issued.

Chair Price Spratlen asked for any additional comments or business. There was none.

Dr. Gordon moved and Mr. Carlson seconded the motion to adjourn the meeting. The board unanimously approved the motion and the meeting was adjourned at 5:55 p.m.

Approved this 15th day of December, 2003, by the King County Board of Ethics.

Signed for the Board: _____
Dr. Lois Price Spratlen, Chair